



PTO/SB/21 (02-04)
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TRANSMITTAL FORM (to be used for all correspondence after initial filing)	Application Number	10/728,357
	Filing Date	December 4, 2003
	First Named Inventor	Tracey Doucette et al.
	Art Unit	
	Examiner Name	
Total Number of Pages in This Submission	Attorney Docket Number	03217/3762-001US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form	<input type="checkbox"/> Drawing(s)	<input type="checkbox"/> After Allowance communication to Technology Center (TC)
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<input type="checkbox"/> Express Abandonment Request	<input type="checkbox"/> Terminal Disclaimer	Return Postcard
<input checked="" type="checkbox"/> Information Disclosure Statement	<input type="checkbox"/> Request for Refund	References - 37
<input type="checkbox"/> Certified Copy of Priority Document(s)	<input type="checkbox"/> CD, Number of CD(s) _____	
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SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual name	Catherine B. Martineau, Esq. Emch, Schaffer, Schaub & Porcello Co., L.P.A.
Signature	<i>Catherine B. Martineau</i>
Date	23 April 2004

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This collection of information is required by 37 CFR 1.5. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO in process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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Practitioner's Docket No. 03217/3762-001US**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Patent application

of _____

Inventor(s)

for _____

Title of invention

the specification of which is being transmitted herewith

OR

In re application of: Tracey Doucette et al.

Application No.: 010 / 728,357 Group No.:

Filed: December 4, 2003 Examiner:

For: DEVELOPMENTAL ANIMAL MODEL OF
TEMPORAL LOBE EPILEPSYAssistant Commissioner for Patents
Washington, D.C. 20231**INFORMATION DISCLOSURE STATEMENT****CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10****(When using Express Mail, the Express Mail label number is mandatory;
Express Mail certification is optional.)*

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(Information Disclosure Statement [6-1]—page 1 of 14)



NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant within any one of the following time periods:

- (1) Within three months of the filing date of a national application other than a continued prosecution application under § 1.53(d);
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application;
- (3) Before the mailing date of a first Office action on the merits; or
- (4) Before the mailing date of a first Office action after the filing of a request for continued examination under § 1.114."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(d).

List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement; discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements.
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
 - 7A. ☐ EPO Search Report
 - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☐ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections _____, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

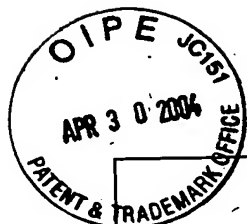
(Information Disclosure Statement [6-1]—page 2 of 14)

Section 1. Preliminary statements

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. § 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.



Substitute for form 1449A/PTO INFORMATION DISCLOSURE STATEMENT BY APPLICANT (Use as many sheets as necessary)			Complete if Known	
			Application Number	10/728,357
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			Group Art Unit	
Sheet <input type="text"/> of <input type="text"/>			Examiner Name	
			Attorney Docket Number	03217/3762-001US

U.S. PATENT DOCUMENTS					
Examiner Initials	Cite No.	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		NumberKind Code (if known)			
		US- 5,549,884	Aug. 27, 1996	Weinberger et al.	
		US- 5,698,766	Dec. 16, 1997	Julius et al.	
		US- US 2002/0104107	Aug. 1, 2002	Lester et al.	
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FOREIGN PATENT DOCUMENTS						
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		TRACY A. DOUCETTE, PAUL B. BERNARD, P. CORRINNE YUILL, R. ANDREW TASKER, CATHERINE L. RYAN; Low doses of non-NMDA glutamate receptor agonists alter neurobehavioural development in the rat; Neurotoxicology and Teratology 25 (2003) 473- 479	
		M.A. PERRY, A.R. TASKER, C.L. RYAN; The Effects Of Low Doses Of Domoic Acid And Kainic Acid On Neuroendocrine Regulation In The Rat; Abstract View Program No. 614.7/Intinerary Planner, Wash. D.C. Society for Neuroscience, 2003/Online	
		P.B. BERNARD, T.A. DOUCETTE, C.L. RYAN, R. TASKER; Cytoarchitectual Changes In The Developing Hippocampus Following Administration Of A Kainate Receptor Agonist; Abstract View, Program No. 218.3/Intinerary Planner, Wash. D.C. Society for Neuroscience, 2003/Online	
		T.A. DOUCETTE, C.L. RYAN, R.A. TASKER; Activation Of Kainate Receptor Signalling Systems In The Rat Pup: A New Model For Neurodevelopmental Disorders?; Abstract View, Program No. 81.6/Intinerary Planner, Wash. D.C. Society for Neuroscience, 2002/Online	

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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

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		TRACEY A. DOUCETTE; Perinatal Administration Of Kainate Receptor Agonists In The Rat: Immediate And Long-Term Behavioral Effects; April, 2003, Thesis Stanhope, P.E.I., University of Prince Edward Island	
		WOLFGANG LÖSCHER, DIETER SCHMIDT; New horizons in the development of antiepileptic drugs; Epilepsy Research 50 (2002) 3 - 16	
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		TODD A VERDOORN, TINA H. JOHANSEN, JORGEN DREJER, ELSEBET O. NIELSEN; Selective block of recombinant glur6 receptors by NS-102, a novel non-NMDA receptor antagonist; European Journal of Pharmacology; Molecular Pharmacology Section 269 (1994) 43 - 49	
		T.A. DOUCETTE, S.M. STRAIN, G.V. ALLEN, C.L. RYAN, R.A.R. TASKER; Comparative behavioral toxicity of domoic acid and kainic acid in neonatal rats; Neurotoxicology and Teratology 22 (2000) 863-869	
		ROBERT K. MCNAMARA AND RONALD W. SKELTON; The neuropharmacological and neurochemical basis of place learning in the Morris water maze; Brain Research Reviews, 18 (1993) 33 - 49	

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		G. JEAN KANT; Effects of Psychoactive Drugs or Stress on Learning, Memory, and Performance as Assessed Using a Novel Water Maze Task; Pharmacology Biochemistry and Behavior, Vol. 44, (1993), 287-295.	
		CHRISTINE M. GALL; Seizure-Induced Changes In Neurotrophin Expression: Implications for Epilepsy; Experimental Neurology 124 (1993) 150-166	
		DEVIN K. BINDER, SUSAN D. CROLL, CHRISTINE M. GALL AND HELEN EL. SCHARFMAN; BDNF and epilepsy: too much of a good thing?; TRENDS in Neurosciences Vol. 24 No. 1 January 2001 pp 47 - 53	
		MAKOTO TAKAHASHI, SHINTARO HAYASHI, AKIYOSHI KAKITA, KOICHI WAKABAYSHI, MASAFUMI FUKUDA, SHIGEKI KAMEYAMA, RYUICHI TANAKA, HITOSHI TAKAHASHI, HIROYUKI NAWA; Patients with temporal lobe epilepsy show an increase in brain-derived neurotrophic factor protein and its correlation with neuropeptide Y; Brain Research 818 (1999) 579-582	

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(Information Disclosure Statement -- Section 2. FORM 1449A/PTO (PTO/SB/08A) page 7 of 4)

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		BOUCHAIB EL BAHH, ROMANE AUVERGNE, CAROLE LERÉ, CORINNE BRANA, GILDAS LE GAL LA SALLE, ALAIN ROUGIER; Decreased epileptic susceptibility correlates with neuropeptide Y overexpression in a model of tolerance to excitotoxicity; Brain Research 894 (2001) 209-217	
		A. VEZZANI, T. RAVIZZA, D. MONETA, M. CONTI, A. BORRONI, M. RIZZI, R. SAMANIN and R. MAJ; Brain-Derived Neurotrophic Factor Immunoreactivity In The Limbic System Of Rats After Acute Seizures And During Spontaneous Convulsions: Temporal Evolution Of Changes As Compared To Neuropeptide Y; Neuroscience Vol. 90; No. 4, pp. 1445 - 1461, 1999	
		CYNTHIA WETMORE, LARS OLSON, and ANDREW J. BEAN; Regulation of Brain-derived Neurotrophic Factor (BDNF) Expression and Release from Hippocampal Neurons Is Mediated by Non-NMDA Type Glutamate Receptors; The Journal of Neuroscience, March 1994, 14(3): 1688 - 1700	
		Q. SUN, S. PRETEL, C.D. APPLGATE and D.T. PIEKUT; Oxytocin and Vasopressin mRNA Expression In Rat Hypothalamus Following Kainic Acid-Induced Seizures; Neuroscience Vol. 71, No. 2, pp. 543 - 554, 1996	

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		D.T. PIEKUT, S. PRETEL and C.D. APPLGATE; Activation of Oxytocin-Containing Neurons of the Paraventricular Nucleus (PVN) Following Generalized Seizures; SYNAPSE 23:312-320 (1996)	
		DANIELA JEZOVA, IVANA SKULTETYOVA, D.I. TOKAREV, P. BAKOS, AND M. VIGAS; Vasopressin and Oxytocin in Stress; 1995 Ann NY Acad. Sci. 771 pp. 192-203	
		YEHEZKEL BEN-ARI AND ROSA COSSART; Kainate, a double agent that generates seizures: two decades of progress; TINS Vol. 23, No. 11, (2000) 580 - 587	
		CARL E. STAFSTROM, ANTONIA CHRONOPOULOS, SAMUEL THURBER, JAMES L. THOMPSON, and GREGORY L. HOLMES; Age-Dependent Cognitive and Behavioral Deficits After Kainic Acid Seizures; Epilepsia, 34(3): 420-432, 1993	
		CARL E. STAFSTROM, JAMES L. THOMPSON and GREGORY L. HOLMES; Kainic acid seizures in the developing brain: status epilepticus and spontaneous recurrent seizures; Developmental Brain Research, 65 (1992) 227 - 236	

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		ELLEN F. SPERBER, KURT Z. HAAS, PATRIC K. STANTON, and SOLOMON L. MOSHÉ; Resistance of the immature hippocampus to seizure-induced synaptic reorganization; Developmental Brain Research, 60 (1991) 88 - 93	
		WOLFGANG LÖSCHER; Animal models of epilepsy for the development of antiepileptogenic and disease-modifying drugs. A comparison of the pharmacology of kindling and post-status epilepticus models of temporal lobe epilepsy; Epilepsy Research 50 (2002) 105 - 123	
		NANCY FOLDVARY, ELAIN WYLLIE; Goetz: Textbook of Clinical Neurology, 1 st ed.; Chapter 52 - Epilepsy pp 1 - 54 (1999)	
		IKONOMIDOU, CHRYSANTHY, BITTIGAU, PETRA, ISHIMARU, MASAHIKO J., WOZNIAC, DAVID F., KOCH, CHRISTIAN, GENZ, KERSTIN, PRICE, MADELON T., STEFOVSKA, VANYA, HORSTER, FRIEDERIKE, TENKOVA, TANYA, DIKRANIAN, KRIKOR, OLNEY, JOHN W.; Ethanol-Induced Apoptotic Neurodegeneration and Fetal Alcohol Syndrome; Science, 00368075, 02/11/2000, Vol. 287, Issue 5455 p 1 - 8	

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		M.V. JOHNSTON, J.W. MCDONALD, C.K. CHEN, and W.H. TRESCHER; Role of Excitatory Amino Acid Receptors in Perinatal Hypoxic-Ischemic Brain Injury; Excitatory Amino Acids, edited by B.S. Medrum, F. Moroni, R.P. Simon, and J.H. Woods; 1991 pp 711 - 716		
		ELENA GRIGORENKO, STEVEN GLAZIER, WILLIAM BELL, MICHAL TYTELL, ERIN NOSEL, TIM PONS, SAM A. DEADWYLER; Changes in glutamate receptor subunit composition in hippocampus and cortex in patients with refractory epilepsy; Journal of Neurological Sciences 153 (1997) 35 - 45		
		ALBERT E. TELFEIAN, HOWARD J. FEDEROFF, PAOLA LEONE, MATTHEW J. DURING, and ANNE WILLIAMSON; Overexpression of GluR6 in Rat Hippocampus Produces Seizures and Spontaneous Nonsynaptic Bursting in Vitro; Neurobiology of Disease 7, 362 - 374 (2000)		
		ANNE BERNARD, LOTFI FERHAT, FRÉDÉRIC DESSI, GÉRARD CHARTON, ALFONSO REPRESA, YEZEKIEL BEN-ARI and MICHEL KHRESTCHATISKY; Q/R editing of the rat GluR5 and GluR6 kainate receptors in vivo and in vitro: evidence for independent developmental, pathological and cellular regulation; European Journal of Neuroscience, Vol. 11, pp. 604 - 616, 1999		

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		T.S.C. ZETTERSTRÖM, Q. PEI, D.G. GRAHAME-SMITH; Repeated electroconvulsive shock extends the duration of enhanced gene expression for BDNF in rat brain compared with a single administration; Molecular Brain Research 57 (1998) 106 - 110	
		CENDES F. ANDERMANN F, CARPENTER S. ZATORRE RJ, CASHMAN NR.; Temporal lobe epilepsy caused by domoic acid intoxication: evidence for glutamate receptor-mediated excitotoxicity in humans.; Ann Neurol. 1995 Jan; 37(1):123-6	

Examiner Signature		Date Considered	
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*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.

¹ Unique citation designation number. ² Applicant is to place a check mark here if English language Translation is attached.

Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. § 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of:

- (i) Each U.S. patent application publication and U.S. and foreign patent;
- (ii) Each publication or that portion which caused it to be listed;
- (iii) For each cited pending U.S. application, the application specification including the claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion. . ."

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

(complete the following, if applicable)

- ☐ Exception(s) to above:
 - ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
 - ☐ Cumulative patents or publications identified in Section 5.

(Information Disclosure Statement—Section 6, Copies of Listed Information Items Accompanying
This Statement [6-1]—page 13 of 14)

Section 10. Identification of Person(s) Making This Information Disclosure Statement

The person making this statement is

(check each applicable item)

- (a) ☐ the Inventor(s) who signs below

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (b) ☐ an individual associated with the filing and prosecution of this application (37 C.F.R. § 1.56(c))

SIGNATURE OF INVENTOR

(type name of inventor who is signing)

- (c) ☒ the practitioner who signs below on the basis of the information:

(check each applicable item)

- ☒ supplied by the inventor(s).
☒ supplied by an individual associated with the filing and prosecution of this application. (37 C.F.R. § 1.56(c))
☒ in the practitioner's file.

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SIGNATURE OF PRACTITIONER

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(Information Disclosure Statement—Section 10. Identification of Person(s) Making This Information Disclosure Statement [6-1]—page 14 of 14)